

AMENDMENTS TO LB635

Introduced by General Affairs.

1           1. Strike the original sections and insert the following new  
2 sections:

3           **Section 1.** Section 81-8,129, Reissue Revised Statutes of Nebraska,  
4 is amended to read:

5           81-8,129 The State Athletic Commissioner shall have sole direction,  
6 management, control, and jurisdiction over all professional mixed martial  
7 arts, professional bare-knuckle mixed martial arts, professional mixed  
8 martial arts on ice, professional muay thai, professional boxing,  
9 professional kickboxing, professional bare-knuckle boxing, and  
10 professional sparring matches and exhibitions, ~~and~~ all amateur mixed  
11 martial arts, amateur muay thai, and amateur kickboxing matches and  
12 exhibitions to be held within the state, except such as are conducted by  
13 universities, colleges, high schools, the military, and recognized  
14 amateur associations for contestants under sixteen years of age. No  
15 professional boxers, professional mixed martial arts contestants,  
16 professional bare-knuckle mixed martial arts contestants, professional  
17 mixed martial arts on ice contestants, professional muay thai  
18 contestants, professional kickboxers, professional bare-knuckle boxers,  
19 ~~or~~ amateur mixed martial arts contestants, amateur muay thai contestants,  
20 or amateur kickboxing contestants who have attained the age of sixteen,  
21 shall participate in a match or exhibition for a prize or purse, or at  
22 which an admission fee is charged, either directly or indirectly, in the  
23 form of dues or otherwise, in this state except by a club, association,  
24 organization, or person licensed by the commissioner, as provided in  
25 section 81-8,130, and in pursuance of a license granted by the  
26 commissioner for such match or exhibition under section 81-8,130.01.

27           **Sec. 2.** Section 81-8,130, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-8,130 The State Athletic Commissioner may issue an annual license  
3 for conducting amateur mixed martial arts, amateur muay thai, or amateur  
4 kickboxing matches or exhibitions to any club, association, or  
5 organization. Each application for a license shall be accompanied by a  
6 fee set by the commissioner in rule and regulation. Such fee shall be not  
7 less than twenty-five dollars and not more than one hundred dollars.

8 **Sec. 3.** Section 81-8,130.01, Reissue Revised Statutes of Nebraska,  
9 is amended to read:

10 81-8,130.01 Licenses and permits may be issued to professional mixed  
11 martial arts, professional bare-knuckle mixed martial arts, professional  
12 mixed martial arts on ice, professional muay thai, professional boxing,  
13 professional kickboxing, or professional bare-knuckle boxing promoters,  
14 whether persons, clubs, or associations, for the sole purpose of  
15 conducting professional matches under such rules and regulations as the  
16 State Athletic Commissioner shall adopt. Each application for such  
17 license shall be accompanied by a fee set by the commissioner in rule and  
18 regulation. Such fee shall be not less than one hundred dollars and not  
19 more than three hundred dollars. If the promoter is an individual, the  
20 application shall include his or her social security number.

21 **Sec. 4.** Section 81-8,132, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 81-8,132 No license shall be granted unless the licensee has  
24 executed a bond in the sum of not less than one thousand dollars in the  
25 case of amateur mixed martial arts, amateur muay thai, or amateur  
26 kickboxing nor less than five thousand dollars in the case of  
27 professional mixed martial arts, professional bare-knuckle mixed martial  
28 arts, professional mixed martial arts on ice, professional muay thai,  
29 professional boxing, professional kickboxing, or professional bare-  
30 knuckle boxing. The license shall be approved by the State Athletic  
31 Commissioner, conditioned on the faithful compliance by the licensee with

1 the provisions of sections 81-8,129 to 81-8,142.01, the rules and  
2 regulations of the commissioner, and such other laws of the state as may  
3 be applicable to anything done by the licensee in pursuance of the  
4 license.

5 **Sec. 5.** Section 81-8,133, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 81-8,133 The State Athletic Commissioner is authorized to grant  
8 licenses to competent referees, upon an application and the payment of a  
9 fee set by the commissioner in rule and regulation. Such fee shall be not  
10 less than ten dollars and not more than forty dollars per annum. The  
11 commissioner may revoke any license so granted for such cause as may be  
12 deemed sufficient. At every professional boxing, professional mixed  
13 martial arts, professional bare-knuckle mixed martial arts, professional  
14 mixed martial arts on ice, professional muay thai, professional  
15 kickboxing, professional bare-knuckle boxing, amateur mixed martial arts,  
16 amateur muay thai, amateur kickboxing, or professional sparring match or  
17 exhibition, there shall be in attendance a duly licensed referee, who  
18 shall direct and control the match. The referee shall stop the match  
19 whenever he or she deems it advisable, (1) because of the physical  
20 condition of the contestants or one of them, (2) when one of the  
21 contestants is clearly outclassed by his or her opponent, or (3) for any  
22 other sufficient reason. The referee shall, at the termination of every  
23 professional boxing, professional mixed martial arts, professional bare-  
24 knuckle mixed martial arts, professional mixed martial arts on ice,  
25 professional muay thai, professional kickboxing, professional bare-  
26 knuckle boxing, amateur mixed martial arts, amateur muay thai, amateur  
27 kickboxing, or professional sparring match or exhibition, indicate a  
28 winner. The fees of the referee and other licensed officials may be fixed  
29 by the commissioner and shall be paid by the licensed organization.

30 **Sec. 6.** Section 81-8,133.01, Reissue Revised Statutes of Nebraska,  
31 is amended to read:

1           81-8,133.01 The State Athletic Commissioner may grant licenses to  
2 qualified physicians, managers, matchmakers, and professional mixed  
3 martial arts, professional bare-knuckle mixed martial arts, professional  
4 mixed martial arts on ice, professional muay thai, professional boxing,  
5 professional kickboxing, professional bare-knuckle boxing, or  
6 professional sparring match or exhibition judges upon an application and  
7 payment of an annual fee set by the commissioner in rule and regulation.  
8 Such fee for matchmakers shall be not less than ten dollars and not more  
9 than one hundred dollars. Such fee for physicians, managers, and  
10 professional mixed martial arts, professional bare-knuckle mixed martial  
11 arts, professional mixed martial arts on ice, professional muay thai,  
12 professional boxing, professional kickboxing, professional bare-knuckle  
13 boxing, or professional sparring match or exhibition judges shall be not  
14 less than ten dollars and not more than twenty dollars. The commissioner  
15 may also grant licenses to qualified timekeepers, contestants, and  
16 seconds upon an application and payment of an annual fee set by the  
17 commissioner in rule and regulation. Such fee shall be not less than ten  
18 dollars and not more than twenty dollars. The application shall include  
19 the applicant's social security number. No person shall serve as  
20 physician, manager, matchmaker, or judge at any professional mixed  
21 martial arts, professional bare-knuckle mixed martial arts, professional  
22 mixed martial arts on ice, professional muay thai, professional boxing,  
23 professional kickboxing, professional bare-knuckle boxing, or  
24 professional sparring match or exhibition who is not licensed as such. No  
25 person shall serve as timekeeper or contestant at any professional mixed  
26 martial arts, professional bare-knuckle mixed martial arts, professional  
27 mixed martial arts on ice, professional muay thai, professional boxing,  
28 professional kickboxing, or professional bare-knuckle boxing match who is  
29 not licensed as such. The commissioner shall have summary authority to  
30 stop any match at which any person is serving in violation of the  
31 provisions of this section. Any license granted under the provisions of

1 this section may be revoked for cause.

2 **Sec. 7.** Section 81-8,134, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 81-8,134 (1) Any professional boxing match, professional mixed  
5 martial arts match, professional bare-knuckle mixed martial arts match,  
6 professional mixed martial arts on ice match, professional muay thai  
7 match, professional kickboxing match, professional bare-knuckle boxing  
8 match, ~~or~~ amateur mixed martial arts match, amateur muay thai match, or  
9 amateur kickboxing match conducted in this state which is labeled or  
10 promoted as a championship match shall have regional or national  
11 significance and the approval of a nationally recognized professional  
12 boxing, mixed martial arts, bare-knuckle mixed martial arts, mixed  
13 martial arts on ice, muay thai, kickboxing, ~~or~~ bare-knuckle boxing, or  
14 kickboxing association.

15 (2) Professional boxing, professional kickboxing, professional bare-  
16 knuckle boxing, or professional sparring matches or exhibitions shall not  
17 exceed ten rounds in length, except in a championship match, which shall  
18 not exceed fifteen rounds. No round shall be longer than three minutes.  
19 At least one minute shall intervene between rounds. Except for  
20 professional bare-knuckle mixed martial arts, professional kickboxing, or  
21 professional bare-knuckle boxing matches, the contestants shall wear  
22 during the contest gloves weighing at least eight ounces each.

23 (3) Professional mixed martial arts, professional muay thai, and  
24 professional bare-knuckle mixed martial arts matches or exhibitions shall  
25 not exceed three rounds in length, except in a championship match, which  
26 shall not exceed five rounds in length. No round shall be longer than  
27 five minutes. At least one minute shall intervene between rounds.

28 (4) No professional boxing contestant, professional mixed martial  
29 arts contestant, professional bare-knuckle mixed martial arts contestant,  
30 professional mixed martial arts on ice contestant, professional muay thai  
31 contestant, professional kickboxing contestant, professional bare-knuckle

1 boxing contestant, ~~or~~ amateur mixed martial arts contestant, amateur muay  
2 thai contestant, or amateur kickboxing contestant shall be allowed to  
3 participate or take part in any contest in this state unless a duly  
4 licensed physician shall certify in writing that such contestant has  
5 taken a physical examination the day of the contest and is physically fit  
6 to engage in the proposed contest.

7 **Sec. 8.** Section 81-8,135, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 81-8,135 Every licensee conducting or holding any professional mixed  
10 martial arts, professional bare-knuckle mixed martial arts, professional  
11 mixed martial arts on ice, professional muay thai, amateur mixed martial  
12 arts, amateur muay thai, amateur kickboxing, professional boxing,  
13 professional kickboxing, or professional bare-knuckle boxing match shall  
14 furnish to the State Athletic Commissioner a written report showing the  
15 articles of agreement between the contestants, the number of tickets sold  
16 for each contest, the amount of the gross receipts thereof, the gross  
17 receipts from sale of any television rights, and such other matters as  
18 the commissioner shall prescribe. Within such time the licensee shall pay  
19 to the commissioner a tax of five percent of the total gross receipts of  
20 any professional mixed martial arts, professional bare-knuckle mixed  
21 martial arts, professional mixed martial arts on ice, professional muay  
22 thai, professional boxing, professional kickboxing, or professional bare-  
23 knuckle boxing match or exhibition, exclusive of state and federal taxes,  
24 except the gross receipts from sale of television rights, and five  
25 percent of such rights, and five percent of the total gross receipts of  
26 any amateur mixed martial arts, amateur muay thai, or amateur kickboxing  
27 match or exhibition, exclusive of state and federal taxes, except that if  
28 such match or exhibition is conducted as an incidental feature in any  
29 event or entertainment of a different character, such portion of the  
30 total receipts shall be paid to the state as the commissioner may  
31 determine, or as may be fixed by rule adopted under section 81-8,139.

1           **Sec. 9.** Section 81-8,138, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           81-8,138 No contestant in any match or exhibition shall be paid for  
4 services until the same are rendered, and should it be determined by the  
5 State Athletic Commissioner that a contestant did not give an honest  
6 exhibition of his or her skill, he or she shall not be paid. Any  
7 contestant who shall participate in any sham or fake professional boxing,  
8 professional mixed martial arts, professional bare-knuckle mixed martial  
9 arts, professional mixed martial arts on ice, professional muay thai,  
10 professional kickboxing, professional bare-knuckle boxing, ~~or~~ amateur  
11 mixed martial arts, amateur muay thai, or amateur kickboxing match or  
12 exhibition shall be disqualified and shall not thereafter be permitted to  
13 contend in any match or exhibition in this state, and any contestant who  
14 shall participate in any sham or fake professional boxing, professional  
15 mixed martial arts, professional bare-knuckle mixed martial arts,  
16 professional mixed martial arts on ice, professional muay thai,  
17 professional kickboxing, professional bare-knuckle boxing, ~~or~~ amateur  
18 mixed martial arts, amateur muay thai, or amateur kickboxing match or  
19 exhibition shall be guilty of a violation of sections 81-8,128 to  
20 81-8,142.01.

21           **Sec. 10.** Section 81-8,139, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23           81-8,139 (1) Except as provided in subsection (2) of this section,  
24 the State Athletic Commissioner shall adopt and promulgate such rules and  
25 regulations for the administration and enforcement of sections 81-8,128  
26 to 81-8,142.01 as he or she may deem necessary. Such rules and  
27 regulations shall include, but not be limited to, the establishment of  
28 written criteria for the granting and revoking of licenses, the setting  
29 of license fees, and the qualification requirements for those to be  
30 licensed as referees, physicians, managers, matchmakers, and professional  
31 boxing, professional mixed martial arts, professional bare-knuckle mixed

1 martial arts, professional mixed martial arts on ice, professional muay  
2 thai, professional kickboxing, professional bare-knuckle boxing, or  
3 professional sparring match or exhibition judges. He or she shall have  
4 the power and may control and limit the number of professional mixed  
5 martial arts, professional bare-knuckle mixed martial arts, professional  
6 mixed martial arts on ice, professional muay thai, amateur mixed martial  
7 arts, amateur muay thai, amateur kickboxing, professional boxing,  
8 professional kickboxing, professional bare-knuckle boxing, or  
9 professional sparring matches or exhibitions given, or to be held, each  
10 year, or within one week, in any city or town, or by any organization. He  
11 or she may fine any licensee, except amateur contestants, an amount not  
12 to exceed one thousand dollars and may suspend for a period, not to  
13 exceed one year, any licensee's right to participate in or conduct any  
14 match or exhibition for unsportsmanlike conduct while engaged in or  
15 arising directly from any match or exhibition, failure to compete in good  
16 faith, engaging in any sham match or exhibition, or the use of  
17 threatening and abusive language toward officials, other contestants, or  
18 spectators.

19 (2) The State Athletic Commissioner may adopt and promulgate rules  
20 and regulations to identify a list of substances banned for use by any  
21 amateur or professional contestant and may require any contestant to  
22 submit to a test for banned substances as a condition for allowing the  
23 contestant's participation in a match or exhibition.

24 (3) The State Athletic Commissioner may suspend an amateur or  
25 professional contestant from competition for a period not to exceed one  
26 year and may fine a professional contestant an amount not to exceed one  
27 thousand five hundred dollars or forty percent of the prize or purse,  
28 whichever is greater, for a first offense of failing a test for a banned  
29 substance on the list developed pursuant to subsection (2) of this  
30 section or for refusing to submit to such a test. He or she may suspend  
31 an amateur or professional contestant from competition for a period not



1 to exceed three years and may fine a professional contestant an amount  
2 not to exceed three thousand dollars or seventy percent of the prize or  
3 purse, whichever is greater, for any second such offense. He or she may  
4 suspend an amateur or professional contestant from competition for life  
5 and may fine a professional contestant an amount not to exceed five  
6 thousand dollars or one hundred percent of the prize or purse, whichever  
7 is greater, for any third or subsequent such offense. For purposes of  
8 determining if an offense under this subsection is a first, second,  
9 third, or subsequent offense, failing a test for banned substances and  
10 refusing to submit to such a test shall be considered the same offense.

11 (4) Before levying an administrative fine pursuant to this section,  
12 the State Athletic Commissioner shall set the matter for hearing.  
13 Proceedings to levy an administrative fine shall be contested cases  
14 prosecuted and appealable pursuant to the Administrative Procedure Act.  
15 At least ten days before the hearing, the State Athletic Commissioner  
16 shall serve notice of the time, date, and place of the hearing upon the  
17 licensee or other violator by personal or certified mail service.

18 (5) The State Athletic Commissioner shall remit any administrative  
19 fines collected under this section to the State Treasurer for  
20 distribution in accordance with Article VII, section 5, of the  
21 Constitution of Nebraska.

22 **Sec. 11.** Original sections 81-8,129, 81-8,130, 81-8,130.01,  
23 81-8,132, 81-8,133, 81-8,133.01, 81-8,134, 81-8,135, 81-8,138, and  
24 81-8,139, Reissue Revised Statutes of Nebraska, are repealed.